

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-6242-MJ-STRAUSS

UNITED STATES OF AMERICA,

v.

KRISTEN BETH SWIFT

Defendant.

FILED BY AT D.C.

May 22, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FTL

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)? No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
4. Did this matter involve the participation of or consultation now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By:



Michael D. Porter
Assistant United States Attorney
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AO 91 (Rev. 11/11) Criminal Complaint

AUSA Breezye Telfair

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America
v.

Kristen Beth Swift

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Case No. 24-6242-MJ-STRAUSS

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 14, 2024 in the county of Broward in the
Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 751(a)

Escape from Federal Custody.

This criminal complaint is based on these facts:

-SEE ATTACHED AFFIDAVIT-

☒ Continued on the attached sheet.



Complainant's signature

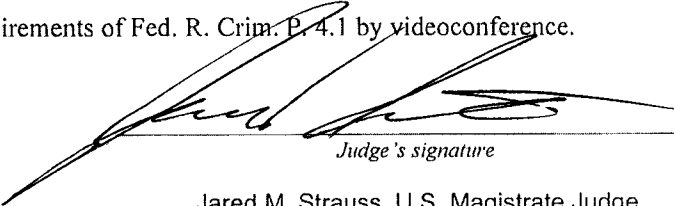
Keith Lawson, Deputy United States Marshal

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by videoconference.

Date:

May 22, 2024



Judge's signature

City and state:

Fort Lauderdale, Florida

Jared M. Strauss, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Keith Lawson, being duly sworn, attest and affirm the following:

1. I am a Deputy United States Marshal (“DUSM”), with the United States Marshals Service (“USMS”) and have been a DUSM since July 2008. As a DUSM, your affiant is lawfully authorized to investigate and enforce the provisions of federal law, to include violations of Title 18 of the United States Code. As part of my regular duties, I investigate federal fugitives who escape from federal custody.

2. This affidavit is made in support of a criminal complaint against Kristen Beth SWIFT (“SWIFT”) for a violation of Title 18, United States Code, Section 751(a).

3. This affidavit is based upon my personal knowledge, review of reports, information obtained from other law enforcement officials and civilians who possess personal knowledge of the events, and other evidence described herein. This affidavit does not contain every fact about this case known to me but only enough facts to establish probable cause to charge SWIFT with violating 18 U.S.C. §§ 751(a) and 4082(a).

Probable Cause

4. On September 15, 2022, SWIFT was convicted of conspiracy to distribute 5 grams or more of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(viii), and 846, in the Southern District of Florida, 2:22-cr-14032-DMM. SWIFT was sentenced to 40 months’ imprisonment, to be followed by four years of supervised release, and committed to the custody of the United States Bureau of Prisons (“BOP”).

5. On or about March 22, 2024, while serving her prison sentence at FCI Tallahassee, a Federal Correctional Institution, SWIFT applied for a furlough with the BOP. SWIFT signed and submitted BOP form BP-A0291IS, entitled “FURLOUGH APPLICATION – APPROVAL AND

RECORD” (the “Furlough Application”), requesting that she be furloughed and serve the remainder of her sentence at a Residential Reentry Center in Broward County, Florida. Her signature on the Furlough Application affirmed, in pertinent part, the following statement:

I understand that if approved, I am authorized to be only in the area of the destination shown on the Furlough Application and at ordinary stopovers or points on a direct route to or from that destination. I understand that my furlough only extends the limits of my confinement and that I remain in the custody of the Attorney General of the United States. If I fail to remain within the extended limits of this confinement, it shall be deemed as escape from custody of the Attorney General, punishable as provided in Section 751 of Title 18, United States Code. . . . I have read or had read to me, and I understand that the foregoing conditions govern my furlough, and will abide by them.

6. As a condition of her furlough, SWIFT also agreed that she would not leave the area of her furlough without permission.

7. On April 17, 2024, BOP transferred SWIFT from FCI Tallahassee to Dismas House Charities, Inc. Residential Reentry Center (“Dismas House”), in Dania, Broward County, Florida, where she remained in the custody of the Attorney General of the United States.

8. On May 14, 2024, SWIFT was granted permission to leave Dismas House to complete a job application at the Holiday Inn Express, located at 205 N. Federal Hwy in Dania Beach, Florida.

9. On May 14, 2024, at approximately 3:01 p.m., SWIFT left Dismas House to travel to the Holiday Inn Express.

10. SWIFT was permitted to travel to the Holiday Inn Express by foot, and was required to return to Dismas House immediately after she completed her job application at the Holiday Inn Express.

11. SWIFT failed to return to Dismas House, as required by the conditions of her furlough.

12. SWIFT's current whereabouts are unknown and she remains at large.

13. On May 15, 2024, BOP issued a Notice of Escaped Federal Prisoner for SWIFT, and a copy was given to the United States Marshals Service.

14. Title 18, United States Code, Section 751(a) provides, in relevant part, as follows:

Whoever escapes or attempts to escape from the custody of the Attorney General or his authorized representative, or from any institution or facility in which he is confined by direction of the Attorney General, . . . shall, if the custody or confinement is by virtue of an arrest on a charge of felony, or conviction of any offense, be fined under this title or imprisoned not more than five years, or both[.]

15. As defined in Title 18, United States Code, Section 4082(a), the term "escape" includes "[t]he willful failure of a prisoner to remain within the extended limits of his confinement, or to return within the time prescribed to an institution or facility designated by the Attorney General." The term "facility" includes a residential community treatment center. 18 U.S.C. § 4082(c).

16. In addition to her 2022 federal conviction for conspiracy to distribute 5 grams or more of methamphetamine, SWIFT has felony convictions from the State of Florida for possession of oxycodone (2005), solicitation of the sale/delivery of morphine (2005), dealing in stolen property (2005), felony retail theft (2006), possession of heroin (2008), bribery of a public servant (2008), robbery (2010), battery on an elderly person (2010), and possession of cocaine (2021).

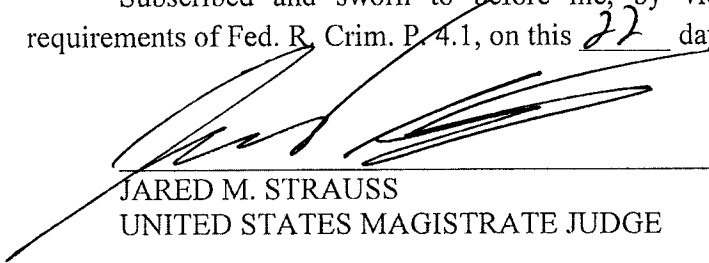
17. Based upon the foregoing, I respectfully submit there is probable cause to believe that on or about May 14, 2024, SWIFT did knowingly escape, as the term escape is defined in Title 18, United States Code, Section 4082(a), from custody at Dismas Charities, a facility in which she was confined by the direction of the Attorney General, by virtue of a judgment and commitment order of the United States District Court for the Southern District of Florida, in violation of Title 18, United States Code, Section 751(a).

FURTHER YOUR AFFIANT SAYETH NAUGHT



KEITH LAWSON
DEPUTY U.S. MARSHAL
U.S. MARSHALS SERVICE

Subscribed and sworn to before me, by videoconference, in accordance with the requirements of Fed. R. Crim. P. 4.1, on this 22 day of May 2024.



JARED M. STRAUSS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: KRISTEN BETH SWIFT

Case No: _____

Escape, 18 U.S.C. § 751(a)

* **Max. Term of Imprisonment:** 5 years

* **Mandatory Min. Term of Imprisonment (if applicable):** N/A

* **Max. Supervised Release:** 3 years

* **Max. Fine:** \$250,000/\$100 Special Assessment

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NUMBER: 24-6242-MJ-STRAUSS

BOND RECOMMENDATION

DEFENDANT: KRISTEN BETH SWIFT

Pre-Trial Detention

(Personal Surety)(Corporate Surety) (Cash) (**Pre-Trial Detention**)

By: 

MICHAEL D. PORTER

ASSISTANT U.S. ATTORNEY

Last Known Address: FCI Tallahassee, 501 Capital Circle, NE, Tallahassee, Florida 32301

Agent(s): Deputy United States Marshal, Keith Lawson

(HSI)(SECRET SERVICE)(DEA)(IRS) (ICE)(**OTHER**)